

Attorney Docket No. 57636-8020.US00

I hereby certify that this correspondence is being transmitted Via Facsimile addressed to:
Examiner Christina Y. Chan, Art Unit 1640, Facsimile No. (703) 746-5030, at the Patent
and Trademark Office, Washington, D.C., 20231, on:

Date: 4-8-2002By: Danessa Glancey**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Laus et al.
Application No. : 09/461,684
Filed : December 14, 1999
For : Compositions and Methods for Enhancement of Major
Histocompatibility Complex Class I Restricted Antigen Presentation
Examiner : Christina Y. Chan
Art Unit : 1640
Docket No. : 7636-0020.30
Date : April 8, 2002

Commissioner for Patents
Washington, DC 20231

STATEMENT UNDER 37 C.F.R. § 1.8(B)(2)

I, Karen Y. Hui, declare and affirm as follows:

1. I am an agent for the Applicants.
2. A Notice of Abandonment was mailed on April 5, 2002, indicating that the above-referenced application is abandoned in view of Applicants's failure to timely file a response to the Office action mailed on July 30, 2001.
3. Attached hereto are copies of the following documents, as filed, which were timely filed in response to the July 30, 2001 Office action on January 30, 2002, for the above-referenced application:

- a. Transmittal letter;
- b. Amendment under 37 CFR § 1.111;
- c. Petition for a three (3) month extension;
- d. Associate Power of Attorney;
- e. Paper copy of a substitute sequence listing;
- f. Declaration under 37 CFR § 1.821; and
- g. Return postcard.

Attorney Docket No. 57636-8020.US00

4 An Office action was mailed July 30, 2001 and a response thereto was timely filed within the statutory six (6) month period for reply, as indicated by the Certificate of Mailing contained on each paper filed on January 30, 2002. See MPEP §512 and 37 CFR §1.8(a)(1). A Certificate of Mailing under 37 CFR §1.8 can be found at the top of page 1 of each piece of correspondence (a) through (f) listed in paragraph 3, certifying that the document was deposited with the U.S. Postal Service in an envelope with sufficient postage as First Class Mail, to the Assistant Commissioner for Patents, Washington D.C., 20231 on January 30, 2002.

4. The return postcard (item g of paragraph 2) with a stamp of the date of receipt from the PTO was not received by our office. It is Applicants's belief that the response to the July 30, 2001 Office action which was timely deposited in the U.S. mail was never received by the U.S. Patent and Trademark Office.

5. In light of the statements made in paragraphs 1-4 above, Applicants respectfully request reconsideration of the holding of abandonment on the basis that there is no abandonment in fact. If the Examiner wishes to discuss the status of the case or would like to request additional information, she is invited to contact the undersigned.

Respectfully submitted,
Perkins Coie LLP



Karen Y. Hui
Registration No. 44,785

Enclosures:

Transmittal letter

Amendment under 37 CFR § 1.111

Petition for a three (3) month extension

Associate Power of Attorney

Paper copy of a substitute sequence listing

Declaration under 37 CFR §1.821

Return postcard

Correspondence Address:

Customer No. 22918

Phone: (650) 838-4300

CONFIDENTIAL**PRIVILEGED**

PERKINS COIE LLP- MENLO PARK
FAX NUMBER: (650) 838-4350

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL:

(650) 838-4300

Addressee:	<u>Assistant Commissioner for Patents</u>	FAX NO.	<u>703-746-5030</u>
	(COMPANY)		
	<u>Christina Y. Chan</u>	Direct Dial	
	(INDIVIDUAL)		
From:	<u>Karen Hui</u>	Date	<u>April 08, 2002</u>
Cover Sheet &	<u>26</u> pages	Client Number	<u>57636-8020.US00</u>
Return to	<u>Vanessa Sanchez</u>	/ EXT.	<u>4361 / Menlo Park</u>
	NAME		OFFICE LOCATION

Original document(s) will be: sent to you held in our files

Attachments:

Statement Under 37 C.F.R. § 1.8(b)(2)
Transmittal letter;
Amendment under 37 CFR § 1.111;
Petition for a three (3) month extension;
Associate Power of Attorney;
Paper copy of a substitute sequence listing;
Declaration under 37 CFR §1.821; and
Copy of return postcard.

OFFICIAL

Sent By _____

Call Addressee to confirm they received this fax.

[57636.8020.us00 FAXCOVER TO ASSISTANT COMMISSIONER FOR PATENTS.07.DOC]

This Fax contains confidential, privileged information intended only for the intended addressee. Do not read, copy or disseminate it unless you are the intended addressee. If you have received this Fax in error, please email it back to the sender at perkinscoie.com and delete it from your system or call us (collect) immediately at (650) 752-6000, and mail the original Fax to Perkins Coie LLP, 135 Commonwealth Drive, Suite 250, Menlo Park, CA 94025-1105.

From

Applicant: Laus, *et al.*
Title:
Compositions and Methods for
Enhancement of Major
Histocompatibility Complex Class I
Restricted Antigen Presentation
Reference #: 7636-0020.30
Date Saved to Disc: 2002-01-30
Operating Sys: Windows NT
Application Number: US 09/461,684
Filing Date: 1999-12-14

DISK POCKET / MAILER
Handle With Care
FIRST CLASS MAIL

Attorney Docket No.: 57636-8020.US00	Date Mailed: January 30, 2002
Inventor/Applicant: Laus et al.	
Serial/Patent No.: 09/461,684	Filing/Issue Date: 12/14/99
Papers Enclosed: <input checked="" type="checkbox"/> Transmittal Letter <input checked="" type="checkbox"/> Amendment <input checked="" type="checkbox"/> Petition for 3-mo. time extension <input checked="" type="checkbox"/> Associate Power of Attorney <input checked="" type="checkbox"/> Sequence Listing, matching declaration and diskette.	Received by the U.S. Patent and Trademark Office.